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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/980,146	06/24/2002	Klaus Winter	10191/2063	9486	
7590 12/20/2006 Richard L Mayer Kenyon & Kenyon			EXAMINER		
			PIERRE LOUIS, ANDRE		
One Broadway New York, NY 10004			ART UNIT	PAPER NUMBER	
- · · · · · · · · · · · · · · · · · · ·			2123		
•					
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE		
31 DAVS		12/20/2006	DAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

		P	Application No.	Applicant(s)			
Office Action Summary		•	09/980,146	WINTER ET AL.			
		E	xaminer	Art Unit			
		Α	andre Pierre-Louis	2123			
Period fo	The MAILING DATE of this communi or Reply	ication appea	rs on the cover sheet	with the correspondence a	ddress		
WHI(- Exte after - If NO - Failu Any	ORTENED STATUTORY PERIOD FOR CHEVER IS LONGER, FROM THE M. Insions of time may be available under the provisions of time may be available under the provisions of the Month's from the mailing date of this common period for reply is specified above, the maximum state to reply within the set or extended period for reply reply received by the Office later than three months at ed patent term adjustment. See 37 CFR 1.704(b).	AILING DAT of 37 CFR 1.136(a unication. ututory period will a will, by statute, car	E OF THIS COMMUN a). In no event, however, may apply and will expire SIX (6) Mause the application to become	NICATION. a reply be timely filed ONTHS from the mailing date of this ABANDONED (35 U.S.C. § 133).			
Status					•		
1)⊠	Responsive to communication(s) file	d on 27 Nov	ember 2006				
2a)□	Responsive to communication(s) filed on <u>27 November 2006</u> . This action is FINAL . 2b)⊠ This action is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the me							
٥,	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
		·		•			
Disposit	ion of Claims		•	•			
4)□	Claim(s) 6-10 is/are pending in the a	pplication.					
	4a) Of the above claim(s) is/ar	e withdrawn	from consideration.	•			
5)□	Claim(s) is/are allowed.						
6)□	Claim(s) is/are rejected.						
7)	Claim(s) is/are objected to.						
8)□	Claim(s) 6-10 are subject to restriction	on and/or ele	ction requirement.				
Applicat	ion Papers						
9)□	The specification is objected to by the	e Examiner.		,			
•	The drawing(s) filed on is/are:		ed or b) objected t	o by the Examiner.			
	Applicant may not request that any object	tion to the dra	wing(s) be held in abey	ance. See 37 CFR 1.85(a).			
	Replacement drawing sheet(s) including	the correction	is required if the drawir	ng(s) is objected to. See 37 C	CFR 1.121(d).		
11)[The oath or declaration is objected to		•				
Priority (under 35 U.S.C. § 119						
	Acknowledgment is made of a claim f	for foreign pr	iority under 35 U.S.C	. § 119(a)-(d) or (f).			
	1. Certified copies of the priority documents have been received.						
	2. Certified copies of the priority	documents h	ave been received in	Application No			
	3. Copies of the certified copies of	of the priority	documents have bee	en received in this Nationa	l Stage		
	application from the Internation	nal Bureau (f	PCT Rule 17.2(a)).				
* (See the attached detailed Office action	n for a list of	the certified copies no	ot received.			
Attachmen	t(s)						
	e of References Cited (PTO-892)			v Summary (PTO-413)			
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)				o(s)/Mail Date f Informal Patent Application			
	rr No(s)/Mail Date		6) Other: _				

Application/Control Number: 09/980,146 Page 2

Art Unit: 2123

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/27/2006 has been entered.

2. Claims 6-10 have been presented for examination.

Election/Restrictions

- 3. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claim 6, and 7-8, drawn to a method and a device for carrying out a lane allocation in multi-lane road, classified in class 703, subclass 008.
 - II. Claim 9, drawn to a method for detecting a misalignment of a sensor, classified in class 73, subclass 1.79.
 - III Claim 10, drawn to a device with means for storing, and means for determining a misalignment angle, classified in class 700, subclass 258.
- 4. The inventions are distinct, each from the other because of the following reasons:

Inventions I-III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01).

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II-III and vice versa, restriction for examination purposes as indicated is proper.

Application/Control Number: 09/980,146

Art Unit: 2123

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II-III, restriction for examination purposes as indicated is proper.

A telephone call was made to Messina, Gerard A. on Thursday, December 14, 2006 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Pierre-Louis whose telephone number is 571-272-8636.

The examiner can normally be reached on Mon-Fri, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul L. Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 09/980,146 Page 4

Art Unit: 2123

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 14, 2006

APL

PAUL RODRIGUEZ SWISORY PATENT EXAMINER

UPERVISORY PATER 2100